

REMARKS

Reconsideration of the present application is requested. Claim 18 was previously canceled, leaving claims 1-17 and 19-33 are currently pending. Of those, claims 1, 17, 32 and 33 are independent claims.

ALLOWABLE SUBJECT MATTER

Applicant acknowledges the Examiner's indication of allowable subject matter set forth in claims 5-9, 30 and 31.

The Examiner indicates that claim 33 would be allowable if amended to overcome "the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action." *Office Action*, pp. 6. However, the current Office Action contains no such rejection. Applicant believes to have overcome the previous rejection under 35 U.S.C. § 112, 2nd paragraph via the February 28, 2006 Amendment. Therefore, Applicant submits that claim 33 is in condition for allowance.

PRIOR ART REJECTIONS

REJECTION UNDER 35 U.S.C. § 102(e)

The Examiner maintains the previous rejection of claims 1, 2, 17, 26-28, 30 and 32 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,734,718 ("Pan"). *April 11, 2006 Office Action*, pp. 2. Applicant respectfully traverses this rejection.

I. THE REJECTION OF CLAIMS 1, 2, 17, 26-28, 30 AND 32 SHOULD BE WITHDRAWN BECAUSE PAN DOES NOT ANTICIPATE CLAIM 1, 17 OR 32.

The rejection of claims 1, 2, 26-28 and 30 should be withdrawn because Pan fails to anticipate claim 1. Anticipation of claim 1 can only be established only if each and every feature, limitation or element set forth in the claim is described in Pan. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP. § 2131. So long as a single feature of claim 1 is not set forth in Pan, Pan fails to anticipate the claim. Pan fails to disclose at least a, "control circuit configured to generate the control current based on the boosted voltage," as recited in claim 1. Therefore, Pan fails to anticipate claim 1 because Pan fails to disclose at least this feature.

According to the Examiner, FIG. 7 of Pan shows that the current control circuit 450 generates two signals: a clock signal and a logic signal supplied to the gate of transistor T1. *Office Action* at pp. 6. The Examiner further contends that transistors T1 and T2 in FIG. 7 of Pan, "determine current going through inverter (T3 and T4)," and therefore, "the signal [supplied to] the gate of transistor T1 is a current control signal." *Id.*

Claim 1, however, does not recite a "current control signal." Claim 1 recites a "control current." The "control current," of claim 1 is a current that controls the charges stored in the "charge storing element," of claim 1. By contrast, the logic signal supplied to the gate of transistor T1 of Pan functions to turn the transistor on or off. *Pan*, col. 5, ll. 45-48. As the skilled artisan would clearly appreciate, a logic signal or voltage pulse, but not a current, is applied to the gate of transistor T1 to switch transistor T1 on or off. Therefore,

the current control circuit 450 of Pan does not constitute the "control circuit," of claim 1 because the current control circuit 450 is not configured to generate a "control current."

Claim 17 recites, "generating the control current based on the boosted voltage," and claim 32 recites, "a control circuit configured to generate the control current based on the boosted voltage." Therefore, Pan does not anticipate claim 17 or claim 32 for at least reasons somewhat similar to those set forth above with regard to claim 1. Withdrawal of the current rejection under 35 U.S.C. § 102 is requested.

REJECTION OF CLAIMS 3, 10-16 AND 19-25 UNDER 35 U.S.C. § 103(A)

The Examiner further rejects claims 3, 10-16 and 19-25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pan in view of U.S. Patent No. 6,392,904 ("Bayer"). *Office Action* at pp. 3. This rejection is respectfully traversed in that even assuming *arguendo* that Pan could be combined with Bayer (which Applicant does not admit), Bayer still fails to at least make up for the above described deficiencies of Pan with regard to claims 1 or 17. Withdrawal of this rejection is kindly requested.

REJECTION OF CLAIMS 4 AND 29 UNDER 35 U.S.C. § 103(A)

The Examiner further rejects claims 4 and 29 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,208,196 ("St. Pierre") in view of Pan. This rejection is respectfully traversed.

The Examiner acknowledges that St. Pierre fails to teach or suggest the "control circuit," of claim 1. *Office Action* at pp. 5. The Examiner relies upon

the current control circuit 450 of Pan to allegedly teach this feature. *Id.* However, for at least the reasons discussed above with regard to claim 1, the current control circuit 450 of Pan is not the "control circuit," of claim 1. As such, even assuming *arguendo* that St. Pierre could be combined with Pan (which Applicant does not admit); the combination still fails to teach all features of claim 4. Thus, claim 4 is in condition for allowance. Claim 29 is also allowable for reasons somewhat similar to those set forth above with regard to claim 4. Withdrawal of this rejection is kindly requested.

CONCLUSION

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

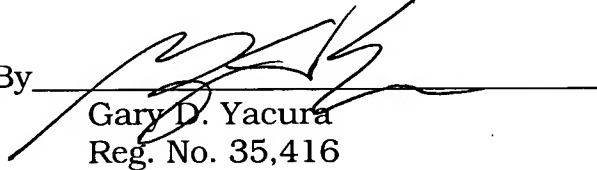
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By



Gary D. Yacura
Reg. No. 35,416

GDY/AMW:jcp

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P.O. Box 8910
Reston, VA 20195
(703) 668-8000